

Definitions of Key Terms

The following are definitions of some of the terms used in the NEPA Process:

Appeal Period - The 45-day period after publication of a decision in which an appeal can be filed. To have “standing” to appeal, a person must have submitted a timely and substantive comment during the comment period.

Categorical Exclusion (CE) - A category of actions which do not individually or cumulatively have a significant effect on the human environment. Neither an environmental assessment nor an environmental impact statement is required.

Comment Period - The set time period following publication of a legal notice in a newspaper of record when interested persons can provide comments to a Responsible Official on a proposed action. Typically 30 days for an EA, and 45 days for an EIS.

Decision Memo (DM) - A concise written record of the responsible official's decision to implement an action that has been categorically excluded from documentation.

Decision Notice (DN) - A concise written record of the responsible official's decision based on an environmental assessment & finding of no significant impact.

Environmental Assessment (EA) - A document which presents issues and concerns important to a project, alternate means of accomplishing a project, and environmental effects of each of these alternatives.

Environmental Impact Statement (EIS) - This document is required for proposed actions that may have significant effects on the human environment. The contents are similar to an environmental assessment, and it includes some additional sections.

Finding of No Significant Impact (FONSI) - A document prepared by a federal agency presenting the reasons why an action, not otherwise excluded, will not have a significant effect on the human environment and for which an environmental impact statement will not be prepared.

HFRA - Healthy Forest Restoration Act of 2003.

Legislation aimed at protecting communities, watersheds, and certain other at-risk National Forest lands from catastrophic wildfire, to enhance efforts to protect watersheds, and address threats to forest and rangeland health.”

NEPA - National Environmental Policy Act of 1969. The procedural guide for the decision making process for site-specific projects.

Proposed Action - A proposal made by the Forest Service to authorize, recommend, or implement an action on National Forest System lands to meet a specific purpose and need which is subject to public notice comment provisions.

Purpose of and Need for Action - The underlying purpose and need to which the agency is responding in proposing an action (and alternatives). Often this is a comparison of the existing condition and the desired future condition, as established by the Land and Resource Management Plan.

Record of Decision (ROD) - A concise written record of the responsible official’s decision based on an environmental impact statement.

Responsible Official—Forest Service line officer (District Ranger, Forest Supervisor, Regional Forester or Chief of the agency) with the authority to make a decision and sign a decision document (DM, DN, or ROD).

Scoping - The procedure by which the Forest Service identifies important issues and determines the extent of analysis necessary for an informed decision on a proposed action. Includes internal and public involvement to determine the range of issues to be addressed. Scoping aids in the development of alternatives for a proposed action.

Significance - As used in the National Environmental Policy Act (NEPA), requires consideration of both context and intensity.

Substantive Comment - A comment submitted during the 30- or 45-day comment period which is within the scope of the proposed action (and its alternatives), is specific to the proposed action, has a direct relationship to the proposed action, and includes supporting reasons for the Responsible

The Project Planning Process & How You Can Be Involved

The Forest Service decision-making process provides opportunities for interested parties to give their ideas and opinions about resource management. This input is important in helping us identify resource needs, which will shape the alternatives evaluated and lead to the formation of a decision.

There are several points in the planning process during which you can be the most helpful, but exact steps and timing may vary depending on the type and complexity of the project. The planning process may be relatively short for small, non-complex projects, or several years for large, complex projects.



Step One - Need for a Project

THE PROCESS	HOW YOU CAN BE INVOLVED
Identify need for project – Forest Service, business, organization, government entity or individual suggests a project	Bring need for a project to attention of Forest Service

Step Two - Develop Project Proposal

THE PROCESS	HOW YOU CAN BE INVOLVED
Develop site specific, detailed project proposal (Forest Service or other project proponent)	Develop project proposal, provide input and ideas

Step Three - Scoping (Public Comment)

THE PROCESS	HOW YOU CAN BE INVOLVED
Scoping – Solicit public comment on the site-specific proposal to identify issues and impacts. (How proposal might affect forest resources and uses. How proposal could be done differently.) This defines the scope of environmental analysis needed and the range of alternatives that should be considered.	Request participation in scoping process – either by notifying the project contact (see project listings) or assuring that you are on the mailing list for projects that are of interest to you (contact Forest NEPA Coordinator). Provide site-specific comments – suggest issues, alternatives or mitigation measures.

Step Four - Develop Reasonable Range of Alternatives

THE PROCESS	HOW YOU CAN BE INVOLVED
If scoping and analysis determine the proposal fits a categorical exclusion, then the Responsible Official makes and documents decision (not subject to appeal). If scoping and analysis determine the proposal requires an EA or EIS, then develop range of alternatives based on the issues raised during scoping. One alternative will maintain the “status quo” (No Action). Any other alternatives will vary from the status quo in response to the need for change.	When commenting on the project proposal, suggest variations to the original proposal that are responsive to the purpose and need. Constructive, thoughtful and site-specific comments and suggestions are the most useful in generating alternatives to the proposal. Comments that simply affirm or criticize the proposal are much less useful in defining issues or developing alternatives.

Step Five - Environmental Analysis (Public Comment)

THE PROCESS	HOW YOU CAN BE INVOLVED
<p>Conduct environmental analysis, identify a proposed action and solicit public comment. The public comment period for a Draft EIS is 45 days. For an EA the comment period is 30 days. Decision Memos do not require a comment period.</p> <p>A copy of the EIS (or EA, or Decision Memo) will be mailed to those who request it, and to those who have participated in the scoping process.</p> <p>A legal notice, requesting comments, will be published in the newspaper of record for the District in which the proposed action is located (36 CFR 215.5).</p>	<p>Provide comments on the environmental analysis. Federal Regulations (36 CFR 215.6) require that comments are timely (received by close of comment period) and substantive, and include:</p> <ol style="list-style-type: none"> 1) Name, address, telephone number (if possible) 2) Title of the document(s) on which comment is being submitted; and 3) Substantive comments are within the scope of the proposed action, are specific to the proposed action, have a direct relationship to the proposed action and include supporting reasons for the Deciding Official to consider.

Step Six - Decision

THE PROCESS	HOW YOU CAN BE INVOLVED
<p>Notice of decision will be published in the newspaper of record. Copies of the decision document will be sent to those who submitted comments on the proposed action, either before or during the comment period (36 CFR 215.9).</p>	<p>Review the decision. You have the option to appeal the decision through administrative process (where applicable).</p>

Step Seven - Appeal

THE PROCESS	HOW YOU CAN BE INVOLVED
<p>Appeal period will be open for 45 days following legal notice of decision in the newspaper of record, except if no one expressed interest and there is no change from the proposed action (36 CFR 215.10).</p>	<p>File Notice of Appeal (36 CFR 215.14 lists contents for an appeal). Only those who submitted substantive comments during the official comment period will be eligible to appeal (36 CFR 215.11).</p>

Step Eight - Implementation

THE PROCESS	HOW YOU CAN BE INVOLVED
<p>Implement the project</p>	<p>Contribute labor, equipment or funding</p>

Step Nine - Monitor and Evaluate

THE PROCESS	HOW YOU CAN BE INVOLVED
<p>Monitor and evaluate the project results</p>	<p>Provide feedback on the project</p>

What's in an Environmental Assessment

The following describes some of the key components found in an Environmental Assessment for a White Mountain National Forest project.

Cover Sheet

Briefly identifies project name and location, responsible officials, and a contact for additional information.

Summary

Provides an executive summary of the document, including a brief description of the purpose and need, proposed action, decision to be made, alternatives considered, and the preferred alternative.

Chapter 1 - Purpose and Need for Action

Provides background information (including a location map) and describes the purpose and need for action (including the relationship to Forest Plan direction), proposed action, decisions to be made, public involvement, and issues used to develop alternatives.

Chapter 2 - Alternatives, including Proposed Action

Describes in detail the proposed action and the range of alternatives considered in the analysis (including alternatives considered but eliminated from detailed study). May also provide detailed maps and/or diagrams of the alternatives and mitigation measures common to all alternatives (these are measures prescribed to offset or rectify potential environmental effects) - or it may refer to these items in the Appendices. A table comparing key elements of the alternatives concludes Chapter 2.

Chapter 3 - Affected Environment and Environmental Consequences

Discloses the expected environmental consequences and any effects on resources within the project area for each of the alternatives. Direct, indirect and

cumulative effects are disclosed for soils, vegetation, wildlife, threatened and endangered species, water quality and quantity, and air. These effects are also disclosed for transportation, recreation, visual quality, cultural resources, socioeconomics, and, where applicable, roadless or Wilderness characteristics.

Chapter 4 - Preparation & Consultation

Lists the individuals who prepared the document, and a list of agencies consulted.

Appendices

May provide more specific information related to the analysis. The content of the Appendices will vary depending on the nature of the project. Most often, the Appendices provide more detailed information or analysis on topics that are of particular concern. This could include the Biological Evaluation (determination of effects on Threatened and Endangered species), Tables for Management Indicator Species or for Species Viability Concerns, transportation report or roads analysis, Forest Plan references, response to public comments, bibliography of literature cited, and a glossary of terms used in the document, or any of a number of other supporting documents.

Project Planning Record

Although not a part of the actual environmental assessment document, the project planning record is an integral part of the analysis, providing the supporting documentation, references, research, monitoring data, communication and background. These items are generally not included in the document due to technical nature or excessive length, or because they are reference materials used to develop the analysis in the document. Members of the public have access to the project planning record; and they can request the opportunity to view these files at the designated office, or they may pay to have copies of documents made and mailed.



Public Comment Process

A Timely and Substantive Comment ...

IF you want the Responsible Official making the decision on a project that has been documented in an EA or an EIS to consider your comments, **AND** you wish to retain the ability to appeal that decision to a higher level, **THEN**:

- You must submit a timely and substantive comment during the official comment period (30 days for an EA, and 45 days for a Draft EIS).
- A timely comment is one which is submitted within the prescribed comment period (see page 20).
- A substantive comment is one which is within the scope of the proposed action (and its alternatives), is specific to the proposed action, has a direct relationship to the proposed action, and includes supporting reasons for the Responsible Official to consider. It provides meaningful and useful information about your concerns and issues, and can be used to enhance project analysis and planning (see page 23).

To Be Timely ...

In order to assure that your comments on an EA are considered and that you are eligible to appeal the decision, they must be submitted in a timely manner. To be timely, comments must be submitted by the 30th calendar day following publication of the legal notice in the newspaper of record (Manchester Union Leader in New Hampshire and the Lewiston Sun Journal in Maine). When the time period expires on a Saturday, Sunday or Federal holiday comments will be accepted until the end of the next Federal working day. In addition:

- Written comments must be postmarked by the Postal Service, e-mailed, FAXed or otherwise submitted by 11:59 pm ET on the 30th calendar day.
- Hand-delivered and oral comments must be time and date imprinted at the correct Responsible Official's office by the close of business on the 30th calendar day.
- Electronic comments must be submitted to the appropriate e-mail address (clearly identified in the legal notice and the EA cover letter) by 11:59 pm ET on the 30th calendar day; and must be in the appropriate text format. The sender should normally receive an automated electronic confirmation of receipt - if not, it is the sender's responsibility to ensure timely receipt by other means.

To Be Considered ...

Individuals and organizations wishing to comment on a proposed action that is analyzed and documented in an EA or Draft EIS must provide the following in order to be eligible to appeal the Responsible Official's final decision:

- Name and Address.
- Title of the Proposed Action.
- Specific substantive comments on the proposed action (including alternatives), along with supporting reasons that the Responsible Official should consider in reaching a decision.
- Signature or other verification of identity upon request; identification of the individual or organization who authored the comment(s) is necessary for appeal eligibility.
- Individual members of an organization must submit their own substantive comments to meet the requirements of appeal eligibility; comments received on behalf of an organization are considered as those of the organization only.

Oral comments must be provided at the Responsible Official's office during normal business hours via telephone or in person; or, if during non-business hours, must be at an official agency function (such as a public meeting) which is designed to elicit public comment.

Where to Call, Write or Visit Your White Mountain National Forest Offices

Supervisor's Office

White Mountain National Forest
719 Main Street
Laconia, NH 03246
Ph: (603) 528-8721
TTY: (603) 528-8722

Saco Ranger District

33 Kancamagus Highway
Conway, NH 03818
Ph: (603) 447-2166
TTY: (603) 447-3121

Pemigewasset Ranger District

1171 NH Route 175
Holderness, NH 03245
Ph: (603) 536-1315
TTY: (603) 869-3104
or
660 Trudeau Road
Bethlehem, NH 03574
Ph: (603) 869-2626
TTY: (603) 869-3104

Androscoggin Ranger District

300 Glen Road
Gorham, NH 03581
Ph: (603) 466-2713
TTY: (603) 466-2856
or
18 Mayville Road
Bethel, ME 04217
Ph: (207) 824-2134
TTY: (207) 824-3312

The White Mountain NEPA Staff:

Rob Fallon, Forest NEPA Coordinator

Dave Batchelder, Pemigewasset District NEPA Coordinator

Pat Nasta, Androscoggin District NEPA Coordinator

Rod Wilson, Saco District NEPA Coordinator

The WMNF web site is www.fs.fed.us/r9/white/

Stuff You Should Know

PRIVACY

Comments received in response to solicitation as part of the NEPA process, including names and addresses of those who comment, will be considered part of the public record on a proposed action, and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments will not have standing to appeal the subsequent decision under 36 CFR Parts 215 or 217. Additionally, pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act permits such confidentiality.

WALK-IN BUSINESS

Requests from the public occasionally necessitate that analysis be completed with a short turn-around. This may mean that some decisions are made without prior announcement in this update. Examples of walk-in requests include special use roads and utility rights-of-way. Scoping efforts for these requests will be conducted as applicable.

EQUAL OPPORTUNITY

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